

**Access to Microfinance & Improved Implementation of Policy
Reform
(AMIR Program)**

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Implementation of the Law on Agriculture

Final Report

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This report was prepared by Dr. Kim Hjort, in collaboration with Chemonics International Inc., prime contractor to the U.S. Agency for International Development for the AMIR Program in Jordan.

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IMPLEMENTING THE LAW OF AGRICULTURE TRIP REPORT OF KIM HJORT

April 10-May 24, 2000

Objectives for Trip #2

1. Monitor progress on agriculture-related commitments to the WTO (as specified in the Working Party Report):
 - SPS Enquiry Point (regulation to establish the enquiry point in MOA)
 - Implementation of technical regulation regarding new classes for sheep meat.
 - Double inspection of carcasses from imported animals
2. Draft regulations and instructions for Agriculture Law:
 - Finalize agricultural fees regulation
 - Regulation for SPS certificates for exported and imported products
 - Instructions regarding the content and form for SPS certificates for exports and list of SPS import requirements.
 - Instructions regarding the content and form of non-automatic import licenses.
 - Regulation governing basis for import bans.
3. Establish operating SPS Enquiry and Notifications Unit at MOA.
4. Conduct training on:
 - Preparing Agriculture Notifications for the WTO
 - Supporting Agriculture Notifications to the WTO
 - SPS Certificates, Technical Regulations and Non-Automatic Import Licensing
 - SPS Enquiry and Notifications Unit—Operations
 - SPS Enquiry and Notifications Unit—Evaluations
 - Impacts of the New Agriculture Law and WTO Accession on the MOA
5. Oversee MOA preparation of AMS notifications for 1997, 1998 and 1999.
6. Special requests for assistance with WTO issues or implementation of the agriculture law.

Objective 1

SPS Enquiry Point

The primary activity on this trip was to develop a regulation to establish the SPS Enquiry Point. Discussions with MOA staff and a mapping of the responsibilities of the unit suggested that efficiencies could be gain by consolidating the Enquiry Point, notifications (both SPS and agriculture) and a new trade analysis task mandated in the Agriculture Law in a single unit. Briefing material was developed to demonstrate the logic of the proposal (Implementation of WTO.ppt; TradeAgreementsCenter.ppt) and a regulation was drafted by myself, Rand Hannun (IBALaw), Mr. Mohammed Mobiedeen (GTZ consultant) and Majed Zakaria (TradeAgreeUnit-English.doc).

The draft regulation was submitted to the MOA's Assistant Secretary General and again to a WTO Implementation Committee established under the Assistant Secretary General. (TradeAgreementsUnit-English.doc). No comments were received on the draft. In late May, a decision was made to give the duties and tasks outlined in the draft regulation to the International Trade and Studies Division (ITSD) headed by Zakaria. Letters establishing counterparts within MOA regarding SPS matters and outside of MOA were exchanged. In addition, Zakaria was promised additional staff members to enable fulfillment of the workload associated with enquiries, notifications and trade analysis.

Zakaria and Mobiedeen were asked to draft a letter to be issued by the Minister to the Secretary-General outlining the additional tasks and responsibilities of ITSD. Fearing that nothing would actually be done as promised, I prepared an action memo for the WTO Implementation Committee (Memorandum to the WTO Implementation Committee.doc). In addition, a letter was sent to the Secretary General summarizing WTO commitments and presenting the idea of the Trade Agreements Unit to him (LetterToKhasawneh.doc).

Although no official declaration about an SPS Enquiry Point has been made, Zakaria decided to proceed with notifying the WTO of the establishment of the Enquiry Point in his section and using his personal email address. The notification was sent June 26, 2000. Therefore, **this WTO commitment has been met**, at least technically. However, because the unit is not operational, the **ongoing commitments to the WTO like submitting SPS and agriculture notifications are not being met**.

Weight Restriction on Imported Live Sheep

Due to lack of action by JISM, the Minister of Agriculture issued the technical regulation on new classes for sheep meat on April 30, 2000. The class system for sheep meat will replace the weight restriction on imported live animals. Therefore, **the WTO commitment was met**. A committee has now been formed to implement the regulation. The most important issue that must be decided is who will grade carcasses in slaughterhouses—the Ministry or the municipalities? **Follow up on this issue is necessary during trip #3**. While it does not appear that AMIR can contribute much to resolution of the issue, the final decision should be reviewed **for TBT and SPS Agreement compliance**.

Double Inspection of Carcasses

A briefing paper describing the problem and the commitment to the WTO to abolish double inspection of carcasses from imported live animals, including a recommended solution, was prepared and submitted to Mr. Ibrahim Abu Etieleh, Assistant Secretary General of MOA (Decision on Double Inspection.doc). When the issue was subsequently presented to Dr. Abu Ragheb, the head of the Animal Wealth Administration in the Ministry, I was informed that a directive had already been issued to stop the double inspection. I requested a copy of the written directive and was later informed that it was a verbal directive. In late June, Rand Hannun (IBALaw) was able to persuade Dr. Abu Ragheb to write such a directive and a copy of it was obtained.

Therefore, **this WTO commitment has been met. It must be notified to the WTO** as a regular SPS notification but, since there is no notifications unit yet, it has not been notified.

Objective 2

The final version of the regulations establishing **fees** under the new agriculture law was reviewed for compliance with WTO principles. The **regulation is completed** and only awaits passage of the Agriculture Law to be issued.

The regulation governing **SPS certificates** for exported products and rules for certification for imported products is in the process of being drafted by Mr. Mobiedeen. Once completed, it must be **translated to English and reviewed for SPS compliance**.

See Objective 1. The regulation to establish a Trade Agreements Unit (i.e., **SPS Enquiry and Notifications** Section and Analysis Section) to implement Articles 6 and 60 of the new agriculture law is **complete in English** and needs minor additions/revisions in Arabic. Approval by MOA has not been secured.

Work on the **content and form of SPS certificates for exports** is progressing. Using internationally recommended certificates as a base, **bilingual (Arabic-English) certificates are complete** for live animals, red meat, poultry meat, animal semen, dogs and cats, equines, raw feed, bees, rabbits, horses for competition, day old chicks and live birds. **English certificates are complete for plants, plant products and processed food**. Mobiedeen will add the Arabic headings during June 2000.

SPS certification requirements for imports are to be determined in the SPS Certificates workshop listed under Objective 4. Training material including a presentation on SPS, TBT and licensing basics, international plant and animal health codes, and examples of SPS requirements from other countries are in the process of being developed (SPSCertsWorkshop.ppt; ImportRegulations.doc; PestLists.xls; Animal Disease.xls; EPPO A1 Quarantine List.doc; SPSCertsExercises.doc). Additional information is needed to conduct the training and prepare the instructions and so this work will **continue on trip #3**.

A draft form to be used by importers when requesting **non-automatic import licenses** for live animals, animal semen, and meat, poultry and fish under the authority of MOA has been **completed in English** and reviewed by Mobiedeen. Arabic headings are to be added by late June 2000.

Background material was collected for drafting the regulation governing the **basis for import bans**. An instruction manual and decision tool are **being drafted in English** which will form the basis for the regulation (Steps to Determine Live Animal Import Eligibility.doc; InstructionsForImportingLiveAnimals.doc). Work will **continue on trip #3**.

Objective 3

The unit has not been established (i.e., is not operational) due to lack of formal action by the Ministry. Establishment of unit is **postponed until trip #3**. However, material for a “Procedures and Operations Manual” has been collected.

Objective 4

No training was possible due to lack of formal action by the Ministry in identifying responsible and capable personnel. **Training is postponed until trip #3 or later**

Objective 5

The **1997 AMS was prepared and submitted to the WTO** Unit at the Ministry of Industry and Trade on April 11, 2000. The AMS for 1998 and 1999 cannot be calculated because the staff members in the International Trade and Studies Division still have not obtained necessary data and information. **Follow up is required during trip #3** assuming that staff qualified to prepare the notification is identified by then.

Objective 6

Food Law. Per request of the Policy Component leader, I worked with the Ministry of Agriculture to try to ease their concerns about duplication of authority under the pending agriculture law and draft food safety law. Briefing material was prepared and given to the Assistant Secretary General at MOA and in mid-May to the WTO Implementation Committee at MOA. The material showed that the overlap in the two laws was quite limited (MOA-MOH SPS Authority.ppt). Agreement was reached on May 21 that the Assistant Secretary General and the head of the Animal Wealth Department would propose revisions to the food safety law to handle their concerns. No proposal was received by the end of June.

Olive oil and poultry meat import policy. Met with Mrs. Tamam El Ghul to update her on the status of efforts to establish an SPS Enquiry and Notifications Point and get her suggestions on ways to proceed. Also briefed her on the need to abolish a standing directive from a previous Prime Minister allowing restrictions on olive oil and poultry meat trade.

Agricultural Marketing Organization. MOA staff requested assistance in getting AMO abolished. A verbal commitment was made to the WTO during the accession process that AMO would be abolished because its functions generally violate WTO principles. Material was prepared and given to MOA officials for their use (AMOPProblem.doc; Translation of AMO Recommendation.doc).

REGULATION ON ESTABLISHMENT OF THE TRADE AGREEMENTS UNIT ISSUED PURSUANT TO ARTICLES 6 AND 60 OF THE AGRICULTURE LAW NO. () FOR THE YEAR 2000

Article 1

This Regulation shall be referred to as the “ Regulation on.... No. () for the Year 2000,” and shall come into force 30 days after its publication in the Official Gazette.

Article 2

For the purposes of implementing this Regulation, the following words and phrases and those in Article 2 of the Agriculture Law No. () for the Year 2000, wherever mentioned in this Regulation, shall have the meanings designated hereunder, unless otherwise indicated by context:

The Ministry	:	The Ministry of Agriculture.
The Minister	:	The Minister of Agriculture.
Secretary General	:	The Secretary General of the Ministry.
The Unit	:	The Trade Agreements Unit.
Trade Agreements	:	The full text of or relevant components of multilateral, regional and bilateral trade agreements, including, but not limited to, the EU-Jordan Partnership Agreement, Arab Free Trade Agreement, General Agreement on Tariffs and Trade (GATT) of 1994, that contain provisions for international trade of agricultural products and agricultural inputs and/or sanitary and phytosanitary measures to protect plant, animal and human health from risks associated with importation or circulation of plants, plant products, animals, animal products, and agricultural inputs.
The Organization	:	The World Trade Organization.
The Enquiry and Notifications Section	:	The Enquiry Point and Notifications Section that is a part of the WTO Unit and established at the Ministry in accordance with the provisions of this Regulation.
The Analysis Section	:	The Analysis Section that is part of the WTO Unit and established at the Ministry in accordance with the provisions of this Regulation.
SPS Agreement	:	The Agreement on the Application of Sanitary and Phytosanitary Measures of the GATT 1994
Agriculture Agreement	:	The Agreement on Agriculture of the GATT 1994
Food	:	Any substance, whether processed, semi-processed or raw which is intended for human consumption. It

		includes drinks, pickles, spices, chewing gum and any substance used in the manufacture, preparation or treatment of “food”, but does not include cosmetics or tobacco or substances used only as drugs.
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Article 3

- a) **A unit named “The Trade Agreements Unit” shall be established at the Ministry.**
- b) The Unit shall consist of a Director and the Enquiry and Notifications Section and the Analysis Section. Each section shall have the number of employees determined by the Secretary General as necessary to fulfill the duties and tasks of the Sections.
- c) The Director of the Unit shall report directly to the Secretary General.

Article 4

The tasks of the Unit shall be the following:

1. To keep the Minister and employees of the Ministry informed of the Ministry's obligations under trade agreements, including those with the Organization.
2. To keep all relevant authorities informed of their obligations under the Organization's and other trade agreements' notification requirements related to sanitary and phytosanitary measures; agriculture sector, rural development and consumer policies; and any other notifications related to the agriculture sector.
3. To monitor the correct implementation of the obligations listed in paragraph 1 of this Article and of sanitary and phytosanitary and agriculture notification requirements taking into account any relevant recommendations adopted by the Organization.
4. To establish and distribute guidelines for the practical implementation of the sanitary and phytosanitary and agriculture notification requirements.
5. To receive all sanitary and phytosanitary and agriculture notifications and comments from the Organization and from the Members in the Organization and other interested parties and from trade agreement counterparts and channel them through to the competent authority responsible for reviewing such notifications and comments.
6. To receive all written comments from Jordanian authorities or other interested parties about notifications of member countries and the Organization and channel them through to the competent authority in the Organization.
7. To publish all emergency, draft or new or changed sanitary or phytosanitary measures for the Kingdom's agricultural products, agricultural inputs and food.

Article 5

The tasks of the Analysis Section shall be to:

- 1) Monitor, review and comment on proposed agriculture-related policies, fees, programs, trade agreements and other relevant proposals of the Ministry and other governmental entities to ensure compliance with the conditions of trade agreements with the Organization and other parties;

- 2) Monitor the impact of trade agreements with the Organization and other parties on the economic health of farmers, including analyzing trade flows and market prices and, in cooperation with other authorities, conducting research on trade agreement impacts;
- 3) Prepare and submit to the competent authority all agriculture sector related notifications required by the Organization and under other trade agreements; and
- 4) To review, evaluate, and report annually, and when necessary, to the Secretary General on agriculture notifications from the Organization and others party to trade agreements with the Kingdom.

Article 6

- a) The tasks of the Enquiry Point and Notifications Section shall be to provide any country or person—upon request—with any information concerning the Kingdom's sanitary and phytosanitary measures applied to agricultural products, agricultural inputs and food. Such information includes the following:
 - 1) Scientific basis for sanitary and phytosanitary measures applied to both imported and domestic agricultural products, agricultural inputs and food;
 - 2) Procedures and means of risk assessment for establishing sanitary and phytosanitary measures for food, agricultural products and agricultural inputs, as well as any other reports related to the assessment of such risk;
 - 3) Procedures and means of controlling food in the Kingdom;
 - 4) Current instructions, requirements and procedures of food inspection and control;
 - 5) Procedures and means of controlling and combating pests and diseases found in the Kingdom;
 - 6) Resolutions concerning the prohibition of domestic trade and imports or exports of certain kinds of agricultural products or agricultural inputs or food for health or environmental reasons;
 - 7) Procedures and means of declaring areas as free of pests or diseases or with low prevalence of such pests or diseases as well as the procedures for maintaining those areas as such;
 - 8) Current instructions, requirements and procedures of plant and veterinary quarantine;
 - 9) Current regulations for organizing transit of agricultural products and agricultural inputs through the Kingdom;
 - 10) Documents regarding the membership or the participation of the Ministry in relevant international and regional Organizations dealing with sanitary and phytosanitary measures as well as documents related to bilateral and multilateral agreements related to these measures; and
 - 11) Any other available information related to this subject.
- b) The Enquiry Point and Notifications Section shall maintain a register and library of all notifications from the Organization and other parties and any

correspondence related to such notifications by Jordan or other Member countries of the Organization or others party to a trade agreement with the Kingdom.

- c) The Minister shall define the fees to be collected by the Ministry for providing such information provided such fees do not exceed the cost of reproducing and sending such information. Other Ministries and governmental corporations shall be exempted from such fees.

Article 7

- a) All authorities preparing sanitary and phytosanitary measures for agricultural products, agricultural inputs and food such as those listed in Article 6 of this regulation shall send all of their drafts and applied or adopted measures in a format established by the Trade Agreements Unit to the Enquiry Point and Notifications Section within two working days of completing the draft or adopting final measures. This shall be done irrespective of whether the draft will be notified to the Organization or not.
- b) Such authorities shall also provide the Enquiry Point and Notifications Section and with copies of all sanitary and phytosanitary measures for agricultural products, agricultural inputs and food within ten working days of being so requested. **If the request is to a competent authority within the Ministry, the requested information shall be provided within two working days of being so requested.** The same is valid for any amendments to existing sanitary and phytosanitary measures for agricultural products, agricultural inputs and food.
- c) The Enquiry Point and Notifications Section decides which draft or final sanitary and phytosanitary measures shall be notified and sends them to the Organization within five working days of receipt.
- d) The Enquiry Point and Notifications Section shall keep a register of all these documents.

Article 8

All sanitary and phytosanitary measures adopted in urgent circumstances to reduce health risks or protect the health of humans, plants or animals shall be sent to the Enquiry Point and Notifications Section in the format established by the Trade Agreements Unit immediately upon issuing by the competent authority. The Enquiry Point and Notifications Section shall forward such emergency measures to the Organization within **two** working days of receipt.

Article 9

The Unit shall publish in the Official Gazette all emergency and new or changed (applied) sanitary and phytosanitary measures and shall publish in two local newspapers all draft sanitary and phytosanitary measures within five working days of receipt of such measures from the competent authority.

Article 10

All questions, comments and requests to obtain copies of the Kingdom's emergency, draft or applied sanitary and phytosanitary measures shall be addressed to the Enquiry Point and Notifications Section, which shall provide copies of the requested measures to the requesting party within ten working days. Such requests shall be entered in the register.

Article 11

The Unit shall handle all received comments and requests for consultations (discussions) on Jordanian sanitary and phytosanitary notifications. Comments shall be forwarded to the authorities, which have prepared the relevant emergency, draft or applied or adopted measures. For comments on draft measures, these authorities shall take them into account and incorporate them into the final draft, and when this is not feasible, be prepared to provide – upon request – their reasons for this. Such comments shall be taken into account within 75 days of sending draft measures to the Unit. The authorities shall respond to comments on emergency or applied or adopted measures within ten working days of receipt of the comments from the Unit. All responses or justifications shall be made through the Unit. The Unit shall be responsible for conducting any requested consultations in cooperation with the authority that has prepared the relevant emergency, draft or final measure.

Article 12

All sanitary and phytosanitary notifications received from the Organization Secretariat shall be noted in the register and sent within five working days of receipt by the Enquiry Point and Notifications Section to the relevant authority and other interested parties in Jordan.

Article 13

Jordanian authorities or other interested parties may request the text of any sanitary or phytosanitary or agriculture notification by other Member countries of the Organization from the Enquiry Point and Notifications Section. The Section shall keep a register of all requests. The notification(s) shall be sent to the requester within ten working days of receipt of the request.

Article 14

Relevant authorities as well as other interested parties may propose to the Unit to present comments or request consultations (discussions) on any incoming sanitary and phytosanitary or agriculture notification. Such proposals shall be fully justified when requesting consultations with other countries. The Unit shall determine whether to forward such comments or consultation requests to the Organization.

Article 15

- a) The Analysis Section shall prepare all necessary notifications that relate to the agriculture sector either directly or indirectly, whether implemented by the Ministry or other governmental entities, as required by the WTO and under any other trade agreement.
- b) The Analysis Section shall prepare all notifications in the format specified by the Organization or in the relevant trade agreement and shall submit them to the competent national authority responsible for sending the notifications to the Organization or trade partners.

Article 16

- a) All authorities proposing, adopting or implementing policies or programs that affect the agriculture or rural sector or impact on consumer food security shall send

relevant information and texts of policies or programs, as identified by the Trade Agreements Unit, to the Analysis Section. This shall be done irrespective of whether the policy or program will be notified to the Organization. Such policies and programs include the following:

- 1) those with a direct or indirect income benefit to farmers through production or sale of their products or direct payments;
 - 2) government assistance, whether direct or indirect, to encourage agricultural and rural development;
 - 3) investment subsidies which are generally available to agricultural producers;
 - 4) agricultural input subsidies generally available to low-income or resource-poor producers;
 - 5) programs that provide a service or benefit to agricultural or rural communities but have no trade-distorting or production effects including research, extension, advisory services, infrastructure development, pest and disease control, inspection services and marketing and promotion services; and
 - 6) programs to improve food security and availability of food for the poor (i.e., food aid).
- b) In the case of existing policies or programs, required information shall be submitted within 60 days of the end of each calendar year. If the required information is preliminary, final information shall be submitted within five working days of availability (whether published or not).
 - c) For proposed policies or programs, the Analysis Section shall be provided the required information upon completion of the initial and all subsequent drafts. The Analysis Section shall review the proposed policies or programs for compliance with trade agreements to which the Kingdom is party and shall send its written comments to the proposing authority within five working days of receipt of the proposed policy.
 - d) The authorities identified in paragraph (a) above shall also provide to the Analysis Section necessary information within ten working days of being so requested.
 - e) The Analysis Section shall keep a register of all requests for information and submitted information, including draft policies and programs.

Article 17

- (a) All staff members of the Unit shall be subjected to performance reviews by the Secretary General. The first performance review shall be conducted no more than six months after establishment of the Unit and shall be conducted annually thereafter.
- (b) The performance reviews shall consist of evaluation of the individual contributions of the Unit staff. Each staff member shall be evaluated according to his job description with particular attention to the following areas: response time for requests and appropriateness of material forwarded to the appropriate authority and other interested parties. Those staff members receiving unsatisfactory performance evaluations will be subject to disciplinary measures identified by the Minister in instructions issued under this Article.

Article 18

Any party not satisfied with the performance of the Enquiry Point and Notifications Section staff can report such to the Secretary General. The Secretary General shall take such comments into account in the performance reviews mandated in Article 17.

Article 19

Instructions and decisions necessary for the implementation of this regulation **and job descriptions for each member of the Unit** shall be issued within 30 days.

Instructions:

1. Interested parties include export organizations, Chamber of Commerce, who else??
2. Format and return of drafts/applied measures if not in proper format
3. Fees
4. Register—procedure, format, content, etc.

MEMORANDUM TO WTO IMPLEMENTATION COMMITTEE

DATE: 23 May 2000

TO: Mr. Ibrahim Abu Eiteleh, Assistant Secretary General
Dr. Mahmoud Nejdawi, Administrator, Planning and Development
Dr. Talat Zandaki, Assistant Administrator, Planning and Development
Mr. Jihad Abu Mushref, Administrator, International Cooperation
Mr. Majed Zakaria, Director, International Trade and Studies Division

FROM: Kim C. Hjort

My departure early tomorrow morning for the United States means that I will not be able to attend the planning meeting for the WTO Implementation Committee. Therefore, I'd like to make a few points and suggestions that I urge you to seriously consider.

1. The most pressing issue for the WTO Implementation Committee is to get an SPS Enquiry Point established. I have argued repeatedly that this must involve the creation of a new unit at the Ministry. Since the new agriculture law is not in effect and apparently will not be considered in the current extraordinary session of Parliament, we must reevaluate the process whereby an SPS Enquiry Point is established. It is my understanding that the Minister may create a new organizational unit under the current agriculture law (and more specifically under the Ministry's organization law). Therefore, I urge the committee to approach the Minister, through the Planning Committee, as soon as possible to establish an SPS Enquiry Point no later than June 30. This can be done quickly by revising, as necessary, the current draft of the "Regulation issued pursuant to Articles 6 and 60 of the Agriculture Law of 2000" (Rand has the Arabic version of the regulation).
2. The work that must be done by the Ministry to implement WTO commitments requires technical staff. For example, staff are needed to:
 - Receive SPS notifications from the WTO, record them, assess their importance to Jordan, forward them to concerned government entities, and pass any comments on the notifications to the WTO;
 - Receive draft SPS measures from government entities, publish them, forward them to the WTO, receive comments from WTO members and forward the comments to the proposing government entity;
 - Gather necessary data for computation of the AMS, enter the data in the AMS data spreadsheet, verify that the links to the AMS notifications spreadsheet are working properly, and print and deliver the notifications for 1998 and 1999 to the WTO Unit at the Ministry of Industry and Trade; and
 - Design a system for efficient monitoring of monthly agricultural product imports for indications of unfair trade practices and import surges; and
 - Review proposed policies and programs (such as a minimum import price scheme for chicken meat) to ensure compliance with WTO principles.

The number of staff required to do this work is at least three persons and probably, within 6 months or so, six persons. The technical skills needed in the staff include:

- Fluency in English;
- Excellent computer skills (word processing, spreadsheets, probably database software);
- Excellent statistical analysis skills;
- Ability to establish an efficient analytic process to quickly spot signs of unfair trade practices or import surges;
- Ability to work well and effectively with counterparts in other government agencies; and
- Ability to understand the potential or realized economic benefit to farmers of existing and proposed policies, including indirect policies.

As I have said before, the two staff members of the International Trade and Studies Division do NOT have the necessary skills or ability. Therefore, an extremely important function of the WTO Implementation Committee is to identify up to 6 Ministry staff members who are capable of doing this work and immediately assign at least two of them to do the work required of the Enquiry and Notifications Section. Note that as soon as capable staff members are identified, I would like to proceed with training. Therefore, if staff members are identified before my return to Amman in mid-June, we can significantly multiply the benefits of my presence in the Ministry during my next trip.

3. It has been suggested that the Secretary General and Minister be given a presentation on WTO principles and the impact of WTO accession on agriculture. In reviewing that recommendation, I think the Committee should move immediately to a presentation on the specific WTO-related commitments and ways of implementing them. This is equivalent to the last two-thirds or so of my presentation entitled “WTO Membership and The Ministry of Agriculture.” If this presentation can be made before my return, I can follow up directly with the Secretary General on proposed organizational changes and specifics regarding training.

cc: Farhat Farhat, Leader, Policy Component, AMIR
 Brian O’Shea, Policy Component, AMIR
 Rand Hannun, Legal Advisor, IBLA

Letter to Mr. Khasawneh

23 May 2000

H.E. Mazen Khasawneh, Secretary-General
Ministry of Agriculture

Your Excellency,

As you know, Jordan's accession to the World Trade Organization (WTO) has imposed many immediate and continuing commitments on the Ministry of Agriculture, including, for example:

- Passing the new Agriculture Law and issuing regulations to implement the law;
- Establishing a sanitary and phytosanitary (SPS) enquiry and notifications point;
- Submitting agriculture policy expenditure notifications for 1998 and 1999;
- Submitting agriculture policy expenditure and other notifications for subsequent years within the time limits allowed by the WTO;
- Implementing the new technical regulation on sheep meat classes;
- Issuing non-automatic import licenses consistent with WTO licensing principles;
- Determining mandatory standards for local and imported agricultural products;
- Monitoring agricultural imports for unfair trade practices and import surges;
- Ensuring that plant and animal health regulations are consistent with international SPS recommendations; and
- Ensuring that the WTO principles of most favored nation (MFN) and national treatment are consistently applied in agricultural trade policy decisions.

Several of these commitments should have already been met. To facilitate the meeting of these commitments, capable and responsible technical staff must be identified as soon as possible and be given the authority necessary to fulfill these commitments. In my opinion, this is best done by establishment of a "Trade Agreements Unit" that reports directly to you (see the attached documents for more information). Such a Unit can be established now under the current agriculture law (No. 20 of 1973).

I would like to discuss the Ministry's commitments and the formation of the Unit with you. I am leaving tomorrow for the United States but will return to Amman in mid-June. Therefore, I would like to request a one-hour appointment with you, at your convenience, on either June 18, June 22 or any day during the week of June 25. If this meets with your approval, please have your secretary notify Ms. Nadia Qassim at AMIR of your preferred appointment time.

Sincerely and respectfully,

Kim C. Hjort, Ph.D. Consultant, WTO Agriculture and SPS Agreements

Cc: Mr. Ibrahim Abu Eiteleh, Assistant Secretary General, Ministry of Agriculture
Mr. Farhat Farhat, Leader, Policy Implementation Component, AMIR
Mr. Brian O'Shea, Acting Leader, Policy Implementation Component, AMIR

Decision on Double Inspection.doc

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Ref. No. 5/2/25/6960
Date 4/6/2000

Director of Agriculture at Aqaba Governorate

In reference to the mechanism of work in the special free zones re sheep projects, attached to my letter No. 5/2/25/3457, dated 10/3/1998, whereby it is stipulated in item 1/ e of Paragraph (2) of the aforementioned mechanism that the carcasses destined to other than the Capital's Governorate shall be inspected by the supervising veterinarian to verify its safety.

I kindly inform you that the above mentioned item shall be restricted only to the carcasses destined for other than the Capital's Governorate. As for the carcasses that are prepared at the special free zones' slaughterhouses, and destined to the Capital's Governorate, these shall be inspected at the Greater Amman Municipality's slaughterhouse.

Best Regards,

Eng. Hashem Shboul

Minister of Agriculture

Cc. Director of Animal wealth Directorate
Cc. Director of Animal Production

Import Regulations

Argentina: Animal products and by-products

- Import permit (from SENSA) required
- Imports subject to prior inspection and approval of slaughtering/processing establishments by SENSA
- All sanitary requirements must be met and will be verified at point of entry
- Import bans on various products, including fresh, chilled and frozen lamb meat from US due to Scrapie disease.

Argentina: Fresh fruits and vegetables

- List of products permitted to be imported
- Product must have a phytosanitary import authorization from Argentine Government
- Product must have a phytosanitary certificate issued by exporting country's plant protection service
- Certificate must be issued within 30 days of the date of import authorization
- Additional declarations may be needed for specific products (should be on file with the plant protection organization of the exporting country)

Saudi Arabia: Meat and Poultry Products, Animals

- Certificate of Islamic slaughter required
- Certificate issued by Saudi embassy in exporting country for approved Islamic slaughter facilities
- Frozen chicken must have been tested for salmonella (rejection of entire shipment if 20% of samples contain salmonella) NOTE: latter probably not legal
- Import bans on cattle from countries with BSE, FMD and Cattle Plaque
- Imports of cattle are subject to strict quarantine regulations
- Import ban on meat and meat derivatives from BSE countries

France: Fruits and vegetables

- Many fruits and vegetables are subject to EU quality norms and therefore inspected at the border for compliance with quality norms
- Systematic phytosanitary inspection on all fresh fruit shipments (but not required for fresh vegetables)

France: Meat and Poultry

- Meat and products must be from an EU-certified slaughterhouse in the exporting country
- Meat must be hormone free **** Current dispute between US & EU ****
- Poultry and egg product import bans from countries that use arsenical, antimonial and estrogen in poultry feed

Canada: Fresh fruits and vegetables

- Imports must meet specific standards and packaging regulations (certificate issued by exporting country's agricultural marketing organization)

- Country of origin must be declared
- Packages must be labeled with Canadian grades

United States: Fruits and Vegetables

- Selected commodities must meet standards requirements relating to grade, size, quality and maturity
- Commodities are inspected at border and a certificate is issued by Agricultural Marketing Service to indicate compliance
- Phytosanitary certificates are usually required
- Some products are banned based on disease status of a country

United States: Animals, Meat and Poultry

- Health or sanitary certificate required
- Import bans based on disease status of a country
- Meat and hides also banned if they originate in countries with a different disease status than the US
- Live animals must enter at 1 of 4 import centers (where there are quarantine facilities)
- Meat and poultry must be inspected in exporting country by approved inspectors
- Mandatory reinspection of meat and meat products via sampling by the Animal and Plant Health Inspection Service and Food Safety and Inspection Service before release from Customs
- Meat and poultry may only be imported from countries and plants approved by the US
- All meat products checked at border for transportation damage, labeling, general condition and proper certification and residue level
- Residue levels must have certification

Country Import Requirements

Kuwait

- Food consignments require health certificate (stating fitness for human consumption) issued by government in country of origin
- All meat and poultry products must be accompanied by a Halal slaughter certificate issued by an approved Islamic center in the country of origin
- Poultry routinely inspected for salmonella; shipment rejected if salmonella in more than 20 percent of the tested samples
- Random checks in domestic market for label inspection, sampling and testing for conformity with stated product ingredients; discrepancies cause product to be removed from the market and destroyed at the importer's expense

EU

- Phytosanitary certificates required for most fresh fruits, vegetables, and other plant material

- Sanitary certificates required for commodities composed of animal products or by-products, including heat treated and irradiated product. Required regardless of whether for human consumption or pharmaceutical use or strictly for non-human use (e.g., veterinary biologicals, animal feeds, fertilizers, research).
- Meat and meat products
 - Must come from slaughterhouses, cutting plants and cold storages that have been approved by the EU and meet extensive requirements on:
 - Facility, equipment and procedural requirements, including:
 - packaging material, wall and floor junctions, use of wood pallets, separation of lavatories and work areas, dry storage of non-food material; waste water; separate storage of edible and inedible products; separate storage of packaged and unpackaged products; structural wood; use of suspended shower, sprays and hoses; sterilization of utensils and implements; accommodation for sick and suspected animals; opening of stomachs and intestines; and batch condemnation.
 - Employee medical certification
 - Water testing
 - Ante-mortem inspection
 - must be performed by a veterinarian or, in special cases, by an official inspector if the animals originate from a premise where an accredited veterinarian is present on an ongoing basis.
 - Pig heart incision
 - Trichinae testing
 - Antimicrobial treatments
 - Poultry chilling
 - Residue testing
 - Non-hormone treated cattle
 - Source of raw product (for cutting and processing plants)
 - Health marks
 - Fresh meat requires following certificates:
 - FSIS Form 9060-5 “Export Certificate of Wholesomeness” with the following statement included in the ‘Remarks’ section:

The meat is derived from animals which have been treated in the slaughterhouse before and at the time of slaughter or killing in accordance with the relevant provisions of Council Directive 93/119/EEC.
 - FSIS Form 9180-2 “Public Health Certificate”
 - FSIS Form 9180-1 “Animal Health Certificate”
 - If requested, FSIS Form 9180-3 “Certificate of Authenticity for High Quality Beef or Veal”
 -
- New legislation will require all animal product imports to undergo 100 percent documentary, identity and physical checks by veterinarians before entering EU.
- Dairy products

- Imports limited to countries and establishments to those that have provided guarantees that sanitary controls are equivalent to those required for domestic products.
- Live animals
 - Limitations on animal species that may be imported.
 - All species eligible must have negative laboratory test results for specified diseases and veterinary inspection.
- Semen, embryos and hatching eggs
 - Donor animals must satisfy stringent tests and certification requirements
 - Extensive background checks on herds and flocks or origin
 - Facility collecting semen or veterinarians collecting, processing and storing embryos must be certified by EU approved body
-

EPPO QUARANTINE LISTS

Definitions

A1 pest (for an area):	A quarantine pest not present in that area.
A2 pest (for an area):	A quarantine pest present in that area but not widely distributed there and being officially controlled.
Quarantine pest:	A pest of potential economic importance to the area endangered thereby and not yet present there, or present but not widely distributed and being officially controlled.
Regional Plant Protection Organization:	An intergovernmental organization with the functions laid down by Article VIII of the IPPC.

Outline of requirements

EPPO A1 and A2 lists of quarantine pests include the pests that EPPO recommends should be listed, under certain conditions, in the national phytosanitary regulations of EPPO Member governments. Listing of quarantine pests is based on pest risk analysis and on appropriate documentation. This standard presents the lists and gives details on their background, development, relation with specific quarantine requirements and use.

Requirements

The EPPO Convention states that one of the functions of EPPO shall be to 'study the possibility of simplification and unification of phytosanitary regulations and certificates'. Given the requirement of the IPPC that phytosanitary measures should be made necessary by phytosanitary considerations and can be technically justified, EPPO considers that these considerations are principally to prevent the entry and establishment of quarantine pests and that the status of quarantine pests has to be technically justified by the process of pest risk analysis. The EPPO region constitutes a continuous geographical area within which, to a substantial extent, the same plants are at risk under similar climatic conditions and within which introduced pests have the possibility to spread naturally. The EPPO region therefore faces common risks from the same quarantine pests and measures taken by individual EPPO governments will contribute to the protection of the whole EPPO region.

The Council of EPPO has accordingly decided to draw up lists of quarantine pests relevant for the whole of, or large parts of, the EPPO region. The first list is of A1 pests, not present in the EPPO region. The second list is of A2 pests, present in the EPPO region but not widely distributed (i.e. absent from or not widely distributed in certain countries, where they are therefore subject to official control).

Notwithstanding the above, it is accepted that certain pests appearing in the A1 and A2 lists, though of concern to a significant group of Member Governments, may not be of concern to all the countries from which they are absent, and in particular that it may not

be necessary or useful for all countries to take measures contributing to the protection of those countries which are at risk from these pests.

Establishment of the A1 and A2 lists

The addition of a pest to the A1 or A2 list is based on the proposal of a Member Government which provides a PRA conforming to EPPO PRA standard no. PM 5/3, and supported by compilation of data according to EPPO PRA standard PM 5/1. The EPPO Working Party on Phytosanitary Regulations decides, after due consideration, whether to recommend to the EPPO Council the addition of a given pest to the list. Under normal circumstances, a proposal is not considered by the Working Party unless it is supported by at least 3 Member Governments. The Working Party decision is normally taken by consensus. The support of 3 Member Governments is not a sufficient condition for addition of a pest to the A1 list, but may be for addition to the A2 list.

The transfer of a pest from the A1 to the A2 list, or vice versa, is decided by the Working Party for recommendation to Council on the basis of adequate documentation justifying the change in status.

The deletion of a pest from the A1 or A2 list is based on the proposal of a Member Government which provides adequate documentary support. The EPPO Working Party on Phytosanitary Regulations decides, after due consideration, whether to recommend to the EPPO Council the deletion of a given pest from the list. Under normal circumstances, a proposal for deletion is not considered by the Working Party unless it is supported by at least 3 Member Governments. The Working Party decision is normally taken by consensus, but the wish of only one or two countries to retain a pest on the list shall not normally prevent the Working Party from deciding the deletion of a pest.

Specific quarantine requirements

For each pest on the A1 and A2 list, EPPO recommends 'specific quarantine requirements' (SQRs) to the Member Governments, including a recommendation on the listing of the quarantine pest in national phytosanitary regulations and on the requirements to be made to exporting countries in relation to commodities that may carry that pest in international trade.

Recommendation on A1 pests

Unless the SQR for a given A1 pest recommends otherwise, every EPPO Member Government is recommended to place the pests of the A1 list on the list of quarantine pests in its phytosanitary regulations, and to make appropriate requirements.

Recommendation on A2 pests

Each EPPO Member Government is recommended to evaluate the pests of the A2 list and decide on a case-by-case basis which to include in the list of quarantine pests in its phytosanitary regulations, together with appropriate specific requirements. If the SQR

for a given A2 pest makes a specific recommendation to certain countries, their Member Governments should follow this recommendation. In general, EPPO Member Governments are recommended not to include in their quarantine lists any other pest present in some part of the EPPO region.

Previous versions of this standard

Four previous versions of the EPPO A1 and A2 lists have already been approved and published, and are hereby established as the original versions of this standard. They are:

- PM 1/2(1) EPPO recommendations on new quarantine measures. *Bulletin OEPP/EPPO Bulletin 5* (special supplement, 1975).
- PM 1/2(2) EPPO recommendations on new quarantine measures (2nd edition). *Bulletin OEPP/EPPO Bulletin 12* (special supplement, 1982).
- PM 1/2(3) EPPO lists of A1 and A2 quarantine organisms. *EPPO Publications Series B*, no. 92 (1988).
- PM 1/2(4) Note on the A1 and A2 lists. In Specific Quarantine Requirements. *EPPO Technical Documents*, no. 1008 (1990).

Versions PM 1/2(5), PM 1/2(6) and PM 1/2(7), corresponding to the modifications decided by EPPO Council in 1991-1996, 1997 and 1998 have been published in the EPPO Electronic Documentation Service.

EPPO A1 QUARANTINE LIST

BACTERIA

Elm phloem necrosis phytoplasma
Liberobacter africanum
Liberobacter asiaticum
 Palm lethal yellowing phytoplasma
 Peach rosette phytoplasma
 Peach X-disease phytoplasma
 Peach yellows phytoplasma
 Potato purple-top wilt phytoplasma
 Strawberry witches' broom phytoplasma
Xanthomonas axonopodis pv. *citri*
Xanthomonas axonopodis pv. *dieffenbachiae*
Xanthomonas oryzae pv. *oryzae*
Xanthomonas oryzae pv. *oryzicola*
Xylella fastidiosa

FUNGI

Alternaria mali
Anisogramma anomala
Apiosporina morbosus
Atropellis pinicola

Atropellis piniphila
Ceratocystis fagacearum and its vectors (*Pseudopityophthorus minutissimus*,
Pseudopityophthorus pruinosus)
Chrysomyxa arctostaphyli
Ciborinia camelliae
Cronartium coleosporioides
Cronartium comandrae
Cronartium comptoniae
Cronartium fusiforme
Cronartium himalayense
Cronartium quercuum
Diaporthe vaccinii
Endocronartium harknessii
Guignardia citricarpa
Gymnosporangium clavipes
Gymnosporangium globosum
Gymnosporangium juniperi-virginianae
Gymnosporangium yamadae
Melampsora farlowii
Monilinia fructicola
Mycosphaerella gibsonii
Mycosphaerella laricis-leptolepidis
Mycosphaerella populorum
Ophiostoma wagneri
Phellinus weirii
Phoma andigena
Phyllosticta solitaria
Phymatotrichopsis omnivora
Puccinia pittieriana
Septoria lycopersici var. *malagutii*
Thecaphora solani
Tilletia indica

PARASITIC PLANTS

Arceuthobium abietinum
Arceuthobium americanum
Arceuthobium campylopodum
Arceuthobium douglasii
Arceuthobium laricis
Arceuthobium minutissimum
Arceuthobium occidentale
Arceuthobium pusillum
Arceuthobium tsugense
Arceuthobium vaginatum

VIRUSES

Bean golden mosaic begomovirus
Cherry rasp leaf 'nepovirus'

Citrus blight disease
 Citrus leprosis rhabdovirus
 Citrus mosaic badnavirus
 Citrus tatter leaf capillovirus
 Coconut cadang-cadang viroid
 Lettuce infectious yellows crinivirus
 Peach American mosaic ?closterovirus
 Peach rosette mosaic nepovirus
 Plum American line pattern ilarvirus
 Potato Andean latent tymovirus
 Potato Andean mottle comovirus
 Potato black ringspot nepovirus
 Potato T trichovirus
 Potato yellow dwarf nucleorhabdovirus
 Potato yellow vein disease
 Potato yellowing alfamovirus
 Raspberry leaf curl 'luteovirus'
 Squash leaf curl begomovirus
 Strawberry latent C 'rhabdovirus'
 Tomato mottle begomovirus (and other American geminiviruses of capsicum and tomato)
 Watermelon silver mottle tospovirus

NEMATODES

Bursaphelenchus xylophilus and its vectors in the genus *Monochamus*
Heterodera glycines
Nacobbus aberrans
Radopholus citrophilus
Xiphinema americanum sensu stricto
Xiphinema bricolense
Xiphinema californicum

INSECTS AND MITES

Acleris gloverana
Acleris variana
Aculops fuchsiae
Aleurocanthus spiniferus
Aleurocanthus woglumi
Amauromyza maculosa
Anastrepha fraterculus
Anastrepha ludens
Anastrepha obliqua
Anastrepha suspensa
Anoplophora chinensis
Anoplophora glabripennis
Anoplophora malasiaca
Anthonomus bisignifer
Anthonomus eugenii

Anthonomus grandis
Anthonomus signatus
Bactrocera cucumis
Bactrocera cucurbitae
Bactrocera dorsalis
Bactrocera minax
Bactrocera tryoni
Bactrocera tsuneonis
Blitopertha orientalis
Ceratitis rosa
Choristoneura conflictana
Choristoneura fumiferana
Choristoneura occidentalis
Choristoneura rosaceana
Conotrachelus nenuphar
Cydia packardi
Cydia prunivora
Dacus ciliatus
Dendroctonus adjunctus
Dendroctonus brevicomis
Dendroctonus frontalis
Dendroctonus ponderosae
Dendroctonus pseudotsugae
Dendroctonus rufipennis
Diabrotica barberi
Diabrotica undecimpunctata
Diaphorina citri
Dryocoetes confusus
Epitrix tuberis
Gnathotrichus sulcatus
Helicoverpa zea
Heteronychus arator
Ips calligraphus
Ips confusus and *I. paraconfusus*
Ips grandicollis
Ips lecontei
Ips pini
Ips plastographus
Liriomyza sativae
Listronotus bonariensis
Malacosoma americanum
Malacosoma disstria
Margarodes prieskaensis
Margarodes vitis
Margarodes vredendalensis
Naupactus leucoloma
Oligonychus perditus
Orgyia pseudotsugata

Pissodes nemorensis
Pissodes strobi
Pissodes terminalis
Premnotrypes spp. (Andean)
Rhagoletis cingulata
Rhagoletis fausta
Rhagoletis indifferens
Rhagoletis mendax
Rhagoletis pomonella
Scirtothrips aurantii
Scirtothrips citri
Scirtothrips dorsalis
Spodoptera eridania
Spodoptera frugiperda
Spodoptera litura
Sternochetus mangiferae
Thrips palmi
Toxoptera citricida
Trioza erytreae
Unaspis citri

EPPO A2 QUARANTINE LIST

BACTERIA

Apple proliferation phytoplasma
Burkholderia caryophylli
Clavibacter michiganensis subsp. *insidiosus*
Clavibacter michiganensis subsp. *michiganensis*
Clavibacter michiganensis subsp. *sepedonicus*
Curtobacterium flaccumfaciens pv. *flaccumfaciens*
Erwinia amylovora
Erwinia chrysanthemi
 Grapevine flavescence dorée phytoplasma
Pantoea stewartii
 Pear decline phytoplasma
 Potato stolbur phytoplasma
Pseudomonas syringae pv. *persicae*
Ralstonia solanacearum
Xanthomonas arboricola pv. *corylina*
Xanthomonas arboricola pv. *pruni*
Xanthomonas axonopodis pv. *phaseoli*
Xanthomonas fragariae
Xanthomonas translucens pv. *translucens*
Xanthomonas vesicatoria
Xylophilus ampelinus

FUNGI

Botryosphaeria laricina
Ceratocystis fimbriata f.sp. *platani*
Cronartium kamtschaticum
Cryphonectria parasitica
Deuterophoma tracheiphila
Didymella ligulicola
Fusarium oxysporum f.sp. *albedinis*
Glomerella gossypii
Gymnosporangium asiaticum
Melampsora medusae
Mycosphaerella dearnessii
Phialophora cinerescens
Phytophthora fragariae
Puccinia horiana
Stenocarpella macrospora
Stenocarpella maydis
Synchytrium endobioticum
Verticillium albo-atrum & *V. dahliae* (hop-infecting strains)

VIRUSES

Apple mosaic ilarvirus (in *Rubus*)
 Beet leaf curl 'rhabdovirus'
 Beet necrotic yellow vein benyvirus
 Black raspberry latent ilarvirus
 Blueberry leaf mottle nepovirus
 Cherry leaf roll nepovirus (in *Rubus*)
 Chrysanthemum stunt viroid
 Citrus tristeza closterovirus
 Impatiens necrotic spot tospovirus
 Plum pox potyvirus
 Potato spindle tuber viroid
 Raspberry ringspot nepovirus
 Satsuma dwarf 'nepovirus'
 Strawberry veinbanding caulimovirus
 Tobacco ringspot nepovirus
 Tomato ringspot nepovirus
 Tomato spotted wilt tospovirus
 Tomato yellow leaf curl begomovirus

NEMATODES

Aphelenchoides besseyi
Ditylenchus dipsaci
Globodera pallida
Globodera rostochiensis
Meloidogyne chitwoodii
Meloidogyne fallax
Radopholus similis

Xiphinema rivesi

INSECTS AND MITES

Bemisia tabaci

Cacoecimorpha pronubana

Cacyreus marshalli

Carposina niponensis

Ceratitis capitata

Cydia inopinata

Diabrotica virgifera

Eutetranychus orientalis

Frankliniella occidentalis

Gonipterus scutellatus

Helicoverpa armigera

Leptinotarsa decemlineata

Liriomyza huidobrensis

Liriomyza trifolii

Lopholeucaspis japonica

Numonia pirivorella

Opogona sacchari

Popillia japonica

Quadraspidotus perniciosus

Spodoptera littoralis

Trogoderma granarium

Viteus vitifoliae

EXERCISE 1: ARE THESE SPS MEASURES?

No.	Condition	Yes	No	Why?
1.	An SPS certificate is required for imported meat and meat products			
2.	Quarantine is required for imported cattle and sheep			
3.	Canned food is tested for contaminants			
4.	Packaged food is tested to verify stated composition			
5.	MOA places cattle on a farm under quarantine			
6.	A vegetable farmer obtains a grade for his produce			
7.	MOA inspects live animals before slaughter			
8.	Imported sheep meat must be stamped to distinguish from domestic meat			
9.	MOA prohibits circulation of unripened oranges			
10.	Fresh fruit in the Amman Central Market is tested for pesticide residue			
11.	MOH removes Brand X canned mushrooms from retail stores because bacteria was found in some cans			
12.	Animal feed is tested for fungus			
13.	All tomatoes destined for export must be inspected and tested			
14.	All tomatoes destined for export must be graded			
15.	Fruit juice being exported to France must have labels in French			

EXERCISE 2: ARE THESE TECHINICAL REGULATIONS OR STANDARDS?

No.	Condition	Reg	Std	Justification
1.	There are two grades (classes) for cabbages			
2.	Seeds offered for sale are free of pebbles, soil, and other matter			
3.	Wheat used to produce cake flour has an average protein content of 10%			
4.	Container labels are in Arabic			
5.	A container containing some fruits that do not comply with export grades is not allowed to be exported			
6.	Weight of the largest fruit in the same container does not exceed 50% of the smallest weight in the container			
7.	Pesticide residue does not exceed the limits established by the Codex Alimentarius			
8.	Sheep meat with less than 2 cm. of fat at the 12 th rib is graded class 1			
9.	Fresh chicken meat is refrigerated at 4° C when displayed for sale			
10.	Fresh chicken not sold within 5 days is destroyed			
11.	Grade 3 feed barley contains more than 8% but less than 12% broken kernels			
12.	Pasteurized milk is transported in refrigerated vehicles at a temperature of no more than 10° C			

ADDITIONAL REQUIREMENTS FOR SANITARY CERTIFICATES FOR MEAT EXPORTED TO JORDAN

The following requirements shall be attested to in Section IV, item (d) in the original Sanitary Certificate for Meat. Alternatively, the attached “Continuation of Sanitary Certificate for Meat for Exports to Jordan” may be completed, stamped and signed by the official veterinarian and attached to the original sanitary certificate.

BEEF AND VEAL

The meat came from animals that were kept in Sunday quarantine (Kado slaughter house) for 14 days before slaughtering.

The animals were inspected for disease immediately before slaughter and the carcasses were inspected after slaughter and found free from the following diseases:

Foot and mouth disease

Brucellosis

The meat was slaughtered in an accredited Halal slaughter house.

Proposed Decision Tool: Steps to Determine Live Animal Import Eligibility: Cattle

1	Does the country have an effective Veterinary Service that monitors, controls and eradicates animal diseases?	Yes	Go to step 2.
		No	Prohibit imports.
2	Does the country have effective surveillance programs for FMD, Rinderpest, contagious Bovine Pleuropneumonia, lumpy skin disease, and Rift Valley Fever?	Yes	Go to step 3.
		No	Prohibit imports
3	Does the country practice stamping out of all outbreaks of FMD, Rinderpest, contagious Bovine Pleuropneumonia, lumpy skin disease, and Rift Valley Fever in all commercial bovine animals?	Yes	Go to step 4.
		No	Prohibit imports.
4	Does the country have strains of FMD, Rinderpest, contragious Bovine Pleuropneumonia, lumpy skin disease, or Rift Valley Fever that are more pathogenic than those found in Jordan and which are not routinely stamped out?	Yes	Go to step 8.
		No	Go to step 5.
Disease Status of the Country: FMD			
5	Is the country/region officially free of FMD?	Yes	Go to step 6.
		No	Go to step 7.
6	Is the country/region vaccinating against FMD?	Yes	Import with vaccine certification and quarantine.
		No	Import without quarantine????
7	Is there active FMD infection in the country (outbreak within last 21 days)?	Yes	Go to step 8.
		No	Go to step 10.
Active Infection in the Country: FMD			
8	Is the source herd in a declared infected zone (less than 10 km from infected premises)?	Yes No	Prohibit import. Go to step 9.
9	Are the cattle vaccinated against FMD?	Yes	Import with standard quarantine if vaccination does not increase risk of spread of FMD.
		No	Import with standard quarantine.
No Current Active Infection in the Country			
10	Are the cattle vaccinated against FMD?	Yes	Import with standard quarantine if vaccination does not increase risk of spread of FMD.
		No	Import with standard quarantine.

Draft Importer Information Bulletin: Importing Agricultural Products into Jordan

1. Obtain an Import Card if Necessary

The import card is obtained by applying to _____.

2. If Importing Live Animals, Semen, or Fresh, Chilled or Frozen Red Meat or Poultry Meat Obtain an Import Permit

An import permit is required each time you import live animals, semen, red meat and poultry meat. Submit the appropriate attached *Application for Permit to Import* and the processing fee to:

Trade Directorate
Import and Export Licensing Division
Ministry of Industry and Trade
P.O. Box _____
Amman, _____

An import permit will be issued within 30 days unless there are health conditions or human safety issues that prohibit importation of the animals, semen or meat from the source country.

Important: See Attachment I (*Import Prohibitions*) for a current list of countries from which specific agricultural products may not be imported. Note that this list may change at any time. All import permits for live animals, semen and meat are subject to the import prohibitions in place when the import item arrive at the entry point. **If an import permit is held authorizing imports of live animals, semen or meat from a specific country and that country/product pair is no longer eligible for import, the consignment will not be permitted entry into the Kingdom.** The consignment must be re-exported immediately at the importers expense. Under no conditions may the Government of Jordan be held responsible or liable for any expenses of the importer if a consignment of live animals, semen, or meat is denied entry because of a change in the animal or meat health status within the exporting country.

3. Know the Health Certificate Requirements

- All agricultural products imported into the Kingdom must be accompanied by an original health certificate. Copies are not acceptable. **Any consignment of agricultural products not accompanied by an original health certificate will be denied entry and must be re-exported at the importer's expense.**
- The certificate must be issued by the official plant protection, veterinary service, or food safety authority of the exporting country.
- The certificate must include the following information:
 - A unique certificate identification number
 - Identification of issuing organization
 - Identification of country of origin and re-export, if appropriate
 - Name and address of exporter
 - Name and address of importer
 - Number and description of agricultural products (including botanical name if a plant)

- Intended use of product (i.e., slaughter, breeding stock, production input, animal feed, food industry use, non-food industrial use, human consumption)
 - Distinguishing marks of product*
 - Place of origin
 - Declared means of conveyance (sea, air, road, rail, mail, passenger and ship name and voyage number or aircraft flight number)
 - Declared point of entry into Jordan
 - Declaration of health of the agricultural products, including disinfestation and/or disinfection treatment, if any, if a plant or plant product
 - Official stamp of the exporting country's health certification authority
 - Name and signature of the official government representative conducting the health examination and date of signature
- In the Declarations or Sanitary Information section of the certificate, the following must appear:

For plants and seeds for sowing:

The undersigned Official Plant Scientist certifies that the plants/s described above and examined on this day:

- a) *shows/show no clinical signs of pests or disease;*
and, if required per Attachment II,
- c) *satisfies/satisfy the requirements on the attached "Continuation of the International Health Certificate for Exports to Jordan—(plant)"*

For plant products other than seed for sowing:

The undersigned Official certifies that the product/s described above and examined on this day:

- a) *show/shows no clinical signs of pests that may be transmitted to the raw product;*
- b) *is/are fit for human/animal** consumption;*
and, if required per Attachment II,
- c) *satisfies/satisfy the requirements on the attached "Continuation of the International Health Certificate for Exports to Jordan—(plant product)"*

**Include the correct word.

For live animals:

The undersigned Official Veterinarian certifies that the animal/s described above and examined on this day:

- a) *shows/show no clinical signs of disease;*
and, if required per Attachment II,
- b) *satisfies/satisfy the requirements on the attached "Continuation of the International Health Certificate for Exports to Jordan—(live animal)"*

For edible animal products:

The undersigned Official Veterinarian certifies that the animal product/s described above and examined on this day:

- a) *is/are fit for human consumption;*
and, if required per Attachment II,
- b) *satisfies/satisfy the requirements on the attached "Continuation of the International Health Certificate for Exports to Jordan—(edible animal product)"*

For non-edible animal products including semen:

The undersigned Official Veterinarian certifies that the animal product/s described above and examined on this day:

a) shows/show no clinical signs of disease;

and, for products other than semen, if required per Attachment II:

b) satisfies/satisfy the requirements on the attached “Continuation of the International Health Certificate for Exports to Jordan—(non-edible animal product)”

and, for semen:

b) was obtained from an accredited artificial insemination center;

c) satisfies/satisfy the requirements on the attached “Continuation of the International Health Certificate for Exports to Jordan—(species Semen)”

WHAT ABOUT VET MEDICINES????

- If a continuation of the international health certificate is required per Attachment II, the original copy of the “*Continuation of the International Health Certificate for Exports to Jordan--..... (product)*” must be signed, dated, and stamped by the Official signing the health certificate and attached to the certificate.
- The certificate must be completed in either Arabic or English in other than black ink.
- The certificate and agricultural products must be received at the point of entry within ____ days of issuing of the certificate.

* Distinguishing marks for each type of agricultural product:

- Live animals for slaughter or breeding
 - Distinguishing marks or official ear tag or ear mark number
 - Species
 - Breed
 - Age
 - Sex
- Day old chicks
 - Mark
 - Species
 - Breed
- Bees
 - Type of bees (hive with bees, swarm, consignment of bees (worker bees, drones), queen bees, brood-combs, royal cells, etc.)
 - Breed and variety
 - Marks or age or weight or surface
 - Packing material
 - Accompanying products
- Other live animals
 - Species
 - Breed
 - Sex
 - Age
 - Coat type and marking
 - Distinctive marks
- Edible animal products

- Type of portions
 - Type of package
 - Number of packages
- Inedible animal products except semen
 - Type of product
 - Type of package
 - Number of packages
- Semen:
 - Type of package
 - Package markings
- Plants and fresh plant products
 - Description of packages
 - Distinguishing marks on packages
- Food, mixtures of animal and/or plant products, including animal feeds
 - Number and description of packages (include lot identifier or date coding)
 - Name of manufacturer and manufacturing establishment identifier

4. Know the Technical Regulations

All agricultural products imported into Jordan must meet mandatory standards as defined in technical regulations. Note that only MANDATORY specifications must be met—standards are voluntary and will not be subjected to testing for compliance. However, any consignment of agricultural products may be tested for compliance with technical regulations for that specific product. A summary of the current technical regulations follows.

Meat—class specifications for sheep meat (JS471-1991 (Beef), JS989-2000 (Sheepmeat); hormone residue; chemical material content limits; certificate of Halal slaughter
 Eggs—classes/grades; hormone residue
 Plant products—classes/grades; pesticide residue
 Plants for seedlings—stem diameter, etc.

For more information on any of the technical regulations referenced above, contact JISM or MOA....

Conditions for Entry of Agricultural Products and Inputs into the Kingdom

Entry of agricultural products into the Kingdom is permitted under the following conditions:

1. An authentic and valid health certificate accompanies the consignment. **Consignments with non-authentic or invalid health certificates will not be permitted entry and must be re-exported at the importer's expense.**
 - The certificate is authentic if it is:
 - Authorized by the exporting country's animal, plant or human health organization
 - Issued on forms authorized by the issuing animal, plant or human health organization
 - Issued by persons authorized by the issuing animal, plant or human health organization
 - Does not contain false information
 - The certificate is *invalid* if it is:
 - Illegible
 - Incomplete
 - Out of date
 - There are uncertified alterations or erasures
 - There is conflicting or inconsistent information
 - There is use of wordings that are inconsistent with the required content and wording of the certificate
2. The captain or other authority from the transport vehicle declares, on the form in Attachment III, compliance with international guidelines and standards for transport of live animals, animal products, plant, or plant products.
3. Required technical certificates are presented to border authorities (Certificate of Halal Slaughter, Certificate of Compliance with Grades for ._____, etc.).
4. Visual inspection of the agricultural product finds that there are no indications of disease. If the visual inspection show signs of disease (for animals), pests (for plants) or lack of fitness for human or animal consumption the products will be tested before being off loaded from the transport vehicle. If there is a significant incidence of disease, pests or lack of fitness for human or animal consumption found in the consignment, it will not be allowed to offload from the ship and must be re-exported at the importer's expense.
5. If necessary according to current law, quarantine is completed according to the current instructions for live animals, plants and their products.

DRAFT Import License Applications

Arabic title

Application for Permit to Import Live Animals

Applicant's name:

.....

Applicant's address:

.....

Applicant's telephone no.:

Species of animal(s):

Breed of animal(s):

☐ Breeding stock ☐ ProductionPurpose of importing: ☐ Slaughter ☐ Other

Number of head:

Country of origin:

State/region/district in

country of origin:

Declared entry point:

Countries of transit:

Facility where animals will

be kept after entering Jordan:

Capacity of facility (head):

Signature of applicant

Date of application:

Do not write below this line.

Date received

Date forwarded to Ministry of Agriculture

This application is: ☐ Approved ☐ Not approved

If not approved provide explanation:

.....

.....

.....

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.....

Continuation of the International Animal Health
Certificate for Exports to Jordan—..... (species)
☐

Forms to send
to applicant
upon approval

☐ Summary of Health Certificate Requirements for
Imported Agricultural Products

☐ Summary of Technical Regulations--..... (species)

☐ Other (specify).....

Date of action:

Authorized Signature

Ministry of Agriculture

(official stamp)

Arabic title

Application for Permit to Import Animal Semen

Applicant's name:	.....
Applicant's address: (street, post office box, city)	..... ..... .....
Applicant's telephone no.: Applicant's fax number:	.....
Country of origin:	.....
State/region/district in country of origin:	.....
Artificial insemination collection center (name, address):	.....
Species of animal:	.....
Breed of animal:	.....
Declared entry point:	.....
Countries of transit	.....
Facility where semen will be kept after entering Jordan???	..... .....
Signature of applicant		

Date of application

Do not write below this line.

Date received

Date forwarded to Ministry of Agriculture

This application is:

☐Approved☐Not approved

If not approved provide explanation:

.....

.....

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Continuation of the International Animal Health Certificate for
Exports of Semen to Jordan—..... (enter species)

☐

Forms to
send to
applicant

Summary of Health Certificate Requirements for Imported
Agricultural Products

☐

☐ Technical Regulations--..... (enter species)

☐ Other (specify).....

Date of action:

Authorized Signature

Ministry of Agriculture

(official stamp)

Arabic title

Application for Permit to Import Fresh, Chilled or Frozen Red Meat, Poultry Meat or Fish

Applicant's name:	.....
Applicant's address:	..... ..... .....
Applicant's telephone no. Applicant's fax number:	.....
Product and form (fresh, chilled, frozen; whole, carcass, cuts):	..... .....
Country of origin:	.....
State/region/district of animals in country of origin:	.....
Declared entry point:	.....
Countries of transit:	.....
Facility where meat will be kept after entering Jordan:??	..... .....
Capacity of facility:		

Signature of applicant

Date of application

Do not write below this line.

Date received

Date forwarded to Ministry of Agriculture

This application is:

☐Approved☐Not approved

If not approved provide explanation:

.....

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.....

	<input type="checkbox"/> Continuation of the International Meat Certificate for Exports to Jordan—..... (enter meat) _____
Forms to send to applicant	<input type="checkbox"/> Summary of Health Certificate Requirements for Imported Agricultural Products _____
	<input type="checkbox"/> Technical Regulations--..... (enter meat) _____
	<input type="checkbox"/> Other (specify)..... _____
Date of action:	.....
Authorized Signature	.....
Ministry of Agriculture	.....
	(official stamp)

ATTACHMENT I**Import Prohibitions: Live Animals (effective 1 June 2000)****Multiple Species Diseases**

Country/Region of Origin	Disease in Country of Origin	Source of Disease Notice	Date of Disease Notice
Austria	Rabies	OIE	22 Oct 99
France	Rabies	OIE	13 Aug 99
Kuwait	Old world screwworm [List B]	OIE	13 Nov 98
USA	New world screwworm (cochliomyia hominivorax) [List B]	OIE	14 Apr 00

Bovine (cattle)

Country/Region of Origin	Disease in Country of Origin	Source of Disease Notice	Date of Disease Notice
Algeria	FMD	OIE	26 Mar 99
Armenia	FMD	OIE	13 Nov 98
Bahrain	FMD	OIE	24 Dec 98
Botswana	FMD	OIE	16 Jul 99
Brazil	FMD	OIE	12 May 00
China, Peoples Rep.	FMD	OIE	4 Jun 99
Denmark	Bovine Spongiform Encephalopathy (BSE) [List B]	OIE	3 Mar 00
Eritrea	Lumpy skin disease	OIE	20 Nov 98
Guinea	FMD	OIE	23 Apr 99
Iran	FMD	OIE	15 Oct 99
Israel	FMD	OIE	12 Feb 99
Israel	Bovine tuberculosis [List B]	OIE	9 Jul 99
Kazakhstan	FMD	OIE	24 Sep 99
Korea	FMD	OIE	14 Apr 00
Kuwait	FMD	OIE	4 Dec 99
Kyrgyzstan	FMD	OIE	12 Feb 99

Country/Region of Origin	Disease in Country of Origin	Source of Disease Notice	Date of Disease Notice
Malawi	FMD	OIE	5 May 00
Malaysia	FMD	OIE	11 Feb 00
Mongolia	FMD	OIE	19 May 00
Morocco	FMD	OIE	9 Apr 99
Mozambique	Lumpy skin disease	OIE	19 May 00
Nigeria	Contagious Bovine Pleuropneumonia	OIE	22 Oct 99
Peru	FMD	OIE	14 Jan 00
Philippines	FMD	OIE	17 Sep 99
Russia	FMD	OIE	28 Apr 00
Saudi Arabia	FMD	OIE	14 Apr 00
Taiwan (Taipei)	FMD	OIE	3 Mar 00
Tunisia	FMD	OIE	19 Mar 99
Turkey	FMD	OIE	24 Dec 99
Turkmenistan	FMD	OIE	21 May 99
Zambia	Contagious Bovine Pleuropneumonia	OIE	24 Mar 00
Zimbabwe	FMD	OIE	4 Feb 00
Benin	Rinderpest	OIE	4 Jun 99
Cameroon	Rinderpest	OIE	11 Jun 99
Chad	Rinderpest	OIE	5 Feb 99
Eritrea	Rinderpest	OIE	18 Jun 99
Ethiopia	Rinderpest	OIE	14 May 99
Kenya	Rinderpest	OIE	19 Mar 99
Lebanon	Rinderpest	OIE	31 Mar 00
Mauritania	Rinderpest	OIE	21 May 99
Niger	Rinderpest	OIE	29 Oct 99
Nigeria	Rinderpest	OIE	26 Nov 99
Sri Lanka	Rinderpest	OIE	19 Nov 99
Sudan	Rinderpest	OIE	5 Nov 99
Turkey	Rinderpest	OIE	12 Mar 99
Uganda	Rinderpest	OIE	14 May 99
USA	Vesicular stomatitis	OIE	19 Feb 99

Ovine and Caprine (Sheep and Goats)

Country/Region of Origin	Disease in Country of Origin	Source of Disease Notice	Date of Disease Notice
Austria	Scrapie	OIE	4 Feb 00
Bulgaria	Bluetongue	OIE	31 Mar 99
Canada	Bluetongue	OIE	11 Dec 98
Egypt	Sheep pox	OIE	9 Jul 99
Eritrea	Peste des petits ruminants	OIE	20 Nov 98

Greece	Bluetongue	OIE	10 Mar 00
Israel	Peste des petits ruminants	OIE	18 Jun 99
Japan	Scrapie	OIE	8 Oct 99
Mauritania	Rift Valley fever	OIE	31 Dec 98
Russia	Sheep pox	OIE	4 Dec 98
Saudi Arabia	Sheep pox	OIE	28 May 99
South Africa	Rift Valley fever	OIE	5 Feb 99
Tunisia	Bluetongue	OIE	11 Feb 00
Turkey	Bluetongue	OIE	24 Dec 99
Turkey	Peste des petits ruminants	OIE	1 Oct 99
Zimbabwe	Rift Valley fever	OIE	14 May 99

OIE=Office International des Epizooties, *Disease Information*

ATTACHMENT I--Continued**Import Prohibitions: Live Animals (effective 1 May 2000)****Bubaline (Buffalo)**

Country/Region of Origin	Disease in Country of Origin	Source of Disease Notice	Date of Disease Notice

ATTACHMENT I**Import Prohibitions: Live Animals (effective 1 May 2000)****Equine (Horses)**

Country/Region of Origin	Disease in Country of Origin	Source of Disease Notice	Date of Disease Notice
New Zealand	Equine infectious anaemia [List B]	OIE	13 Aug 99
Hong Kong	Equine piroplasmosis [List B]	OIE	31 Mar 00
Brazil	Glanders [List B]	OIE	24 Dec 99

Porcine (Swine)

Country/Region of Origin	Disease in Country of Origin	Source of Disease Notice	Date of Disease Notice
Argentina	Classical Swine Fever	OIE	4 Jun 99
Botswana	African Swine Fever	OIE	30 Jul 99
Bulgaria	Classical Swine Fever	OIE	7 Apr 00
Croatia	Classical Swine Fever	OIE	19 Nov 99
Germany	Classical Swine Fever	OIE	19 Nov 99
Ghana	African Swine Fever	OIE	19 Nov 99
Italy	African Swine Fever	OIE	31 Dec 99
Italy	Classical Swine Fever	OIE	31 Dec 99
Italy	Swine vesicular disease	OIE	24 Mar 00
Luxembourg	Classical Swine Fever	OIE	19 Nov 99
Madagascar	African Swine Fever	OIE	15 Jan 99
Moldavia	Classical Swine Fever	OIE	13 Nov 98
Mozambique	African Swine Fever	OIE	28 Apr 00
Portugal	African Swine Fever	OIE	19 Nov 99
Senegal	African Swine Fever	OIE	12 Feb 99
Spain	Classical Swine Fever	OIE	22 Jan 99
Thailand	Classical Swine Fever	OIE	10 Mar 00

Gallus Domesticus (Chickens)

Country/Region of Origin	Disease in Country of Origin	Source of Disease Notice	Date of Disease Notice
Argentina	Newcastle disease	OIE	10 Sep 99
Australia	Newcastle disease	OIE	21 Apr 00
Austria	Newcastle disease	OIE	19 Mar 99
Belgium	Newcastle disease	OIE	4 Jun 99
Brazil	Newcastle disease	OIE	27 Aug 99
Canada	Newcastle disease	OIE	21 May 99
Czech Republic	Newcastle disease	OIE	22 Jan 99
Eritrea	Newcastle disease	OIE	20 Nov 98
France	Newcastle disease	OIE	17 Dec 99
Italy	Newcastle disease	OIE	11 Dec 98
Italy	Highly pathogenic avian influenza	OIE	17 Mar 00
Japan	Newcastle disease	OIE	21 Jan 00
Luxembourg	Newcastle disease	OIE	17 Dec 99
Madagascar	Avian Infectious Bronchitis	OIE	9 Apr 99
Mexico	Newcastle disease	OIE	5 May 00
Netherlands	Newcastle disease	OIE	6 Aug 99
USA	Newcastle disease	OIE	15 Jan 99
Venezuela	Newcastle disease	OIE	23 Jul 99

ATTACHMENT I**Import Prohibitions: Live Animals (effective 1 May 2000)****Other Poultry Birds**

Country/Region of Origin	Type of Bird	Disease in Country of Origin	Source of Disease Notice	Date of Disease Notice

Other Animals

Country/Region of Origin	Animal	Disease in Country of Origin	Source of Disease Notice	Date of Disease Notice
New Zealand	Bees	Varroosis	OIE	21 Apr 00
USA	Rabbits	Rabbit haemorrhagic disease	OIE	14 Apr 00

Attachment II

Continuation of International Health Certificate for Exports to Jordan—Cattle

The cattle must be free of the following diseases:

FMD
Brucellosis
Bovine plueronemonia

The cattle must undergo the following treatment before transportation from the exporting country:

Quarantine at port for 14 days
Vaccination against xxxxxx

No mingling of quarantine animals with those of uncertain health status or a health status other than the quarantine animals during transport to the ship/airplane/truck ¹

¹ This import license is valid for one year from the date of action above.

ORIGINAL

License number

AMO Border Inspection for Compliance with Standards

1. As of the date of accession to the WTO, standards for any good are voluntary unless they are specifically classified as technical regulations (mandatory specifications). No imported or domestic good can be made to conform to voluntary standards and no good can be charged a fee for ensuring compliance with a standard unless so requested by the producer or importer.
2. In the new Standards and Metrology Law (passed in _____), the authority that issues a technical regulation is responsible for ensuring compliance with such regulations. The Jordanian Institute for Standards and Metrology (JISM) is considered to have issued all technical regulations that already exist. Therefore, 30 days after publishing the new Standards and Metrology Law, JISM is the only authority for ensuring compliance with existing technical regulations.
3. AMO inspects (visually) agricultural products at the border for compliance with standards (technical standards or specifications). Per the 1988 AMO Law, AMO has authority to "cooperate and coordinate with bodies concerned with...drawing up the specifications, which should be available in the exported or imported agricultural products or those offered for sale in local markets and following up compliance to those specifications." The phrase "which should be available in" implies a voluntary standard under the new definitions of standards versus technical regulations.
4. If JISM has given AMO authority to inspect imported goods for compliance with mandatory standards, then AMO can inspect imported agricultural products for compliance with technical regulations.
5. If AMO has authority from JISM to inspect, AMO also has authority to collect fees for such inspections. However, under the terms of WTO accession, such fees may not exceed the cost of the service rendered. Al Jidara has estimated the cost of the service rendered at an average of 124 fils per ton for plant products and animal products (except egg inspection that is estimated to cost 8 fils per 1000 eggs).
6. AMO's current fees for inspection for compliance with specifications are:

Fresh plant products	JD1 per ton
Dried, preserved, frozen plant products	JD5 per ton
Cereals	JD1 per ton
Other crops	JD1 per ton
Fresh, chilled, frozen meat & poultry	JD5 per ton
Eggs (table and hatching)	5 fils/100
Dried eggs	250 fils per kg.
Other animal products	JD 5 per ton

These fees exceed the cost of the service rendered by 6 to 40 times. The fees being charged by AMO are therefore in violation of GOJ commitments to the WTO and must immediately be reduced to reflect the actual cost of the service rendered.

Complicating Factors

1. AMO has recently proposed to collect marketing fees for live animals. AMO's authority for agricultural products is limited to "fresh and processed plant crops and animal products." Animal products do not include live animals and therefore AMO has no authority to collect any fees associated with live animals.
2. It is not clear that AMO charges fees for like domestic products to ensure compliance with mandatory standards (i.e., technical regulations). If AMO does not charge the same fees for the same goods from domestic farms, the GATT principle of national treatment is being violated. That principle directs that imported goods must be afforded the same treatment as like domestic goods. Therefore, AMO must either immediately begin collecting agricultural marketing fees on domestic products or quit collecting such fees on imported goods.
3. Based on the national treatment condition of WTO membership, it is clear that AMO may not collect fees for inspection of imported live animals because it does inspect or collect fees for inspection of domestic live animals.
4. In the "Report of the Working Party on the Accession of the Hashemite Kingdom of Jordan to the World Trade Organization" the inspection activities of AMO are not mentioned. According to that document, a committee comprised of officials from JISM, the Ministry of Health, the Ministry of Agriculture and the Customs Department carries out inspections. Further, it is stated that "No verification procedures were applied on imported goods if Jordanian standards did not exist." This implies that AMO can only test compliance for a subset of agricultural products since only some agricultural products have standards.
5. It is not clear that AMO actually inspects meat for compliance with standards. If they did inspect, it is not clear that AMO staff is qualified to do so since inspection of meat usually requires the skills and training of a veterinarian. If meat is not inspected, no fee can be charged. If meat is inspected, the service being rendered is basically worthless because the staff do not have the skills to do so.

STUDY OF THE AGRICULTURAL MARKETING ORGANIZATION DRAFT LAW

International Business Legal Associates (IBLA) were requested to conduct a study on the proposed draft law of the Agricultural Marketing Organization (AMO). The purpose of this study was to identify existing problems in this draft, and the conflict arising therefrom with the new laws on Agriculture, Food and Standards and Metrology, and to propose solutions accordingly. The following is a brief preview on the main problems facing this law and the recommendation proposed to solve such.

The problems are identified in the definitions from one hand, and in the specific provisions on the other.

The Definitions:

Two new definitions were proposed, the first for agricultural products, and the second for marketing facilities.

Agricultural Products are defined as: plant crops and animal products and foodstuffs prepared for human consumption whether fresh or manufactured.

The main problem found in this definition besides being unclear² is that it creates a conflict of authorities between the Marketing Organization at one side, and the Ministry of Agriculture (MOA) and the Ministry of Health (MOH) at the other. Since the definition of agricultural products in the agriculture law and food definition in the food law are not yet distinguished from each other due to the fine comparison between them, the authorities of MOA and MOH are not yet obvious. Putting a new definition regarding such issue is highly not recommended because it will induce additional onus to the already existing problem.

This said conflict is more and more apparent when looking at the scope of application of the draft, e.g. by studying Article (4/ H), we can see that AMO is entitled of supervise other entities' compliance with the standards of agricultural products. Such authority will definitely lead to a conflict with MOA who has the same authority for supervising agricultural products, and with MOH who also has the same authority to supervise foodstuffs.

Marketing Facilities: marketing facilities are all places at which marketing activities of agricultural products are conducted, including assembly, preparation, classification, packaging, storage, refrigeration,

² There is no "and" before the word foodstuffs in the Arabic version of the definition, and it is not clear whether or not this is intended so as to include foodstuffs originated from animal products.

transfer, manufacturing, wholesale purchasing and selling and any other activity.

This definition contradicts with the one provided for in the agriculture law for “place”, and contradicts yet again with the definition of “handling” in the food law. Thus, if AMO had the right to enter marketing facilities to make sure of the fulfillment of the provisions of its law³, that means the AMO will have the right to access the places that are already being supervised by MOA and MOH which produces procedures that are redundant and unnecessary.

The Provisions:

Conflict of authorities can also be found in the provisions of the law. Especially in Article (4) of the draft law. Problems in **Article (4)** are found in:

- **Paragraph (d)** that provides for preparing information and marketing economical and technical studies. This Paragraph may at first look appropriate and convenient for AMO’s market-oriented purposes, but if this Paragraph is to be interpreted broadly, it would allow AMO to collect statistical information about the agricultural sector and this might lead up to an overlap with MOA’s jurisdiction in such issues⁴, or at least, it might create unneeded redundancy in collecting similar data for similar reasons.
- **Paragraph (g):** proposal of new standards for agricultural products and containers thereof is the core authority of MOA, and the same is true for MOH regarding foodstuffs while the Institution of Standards and Metrology (JISM) is the sole authority to issuing such standards in general. Specifically, Article (5) of the Law on Agriculture stipulates that MOA is the sole authority in the Kingdom for the preparation, approval, application and review of sanitary and phytosanitary measures for plants and animals, so, if Sanitary and Phytosanitary measures are to include proposal of new standards⁵, this means that there is overlapping in the authority in proposing new standards that relate to agricultural products in general. As to the concept of proposing standards as a whole, the word “standards” is not well defined and thus, it is not understood what exactly it means. That is, are we talking about standards or technical regulations? If we are talking about standards, then the only body authorized to issuing such is JISM, and no other entity is allowed to do so, but if we are talking about technical regulations, then MOA has the right to issue technical regulations for agricultural products, and MOH for foodstuffs. For example, Article (11/B) of the Law on Agriculture provides that the Minister shall issue technical regulations for agricultural products and inputs as he deems necessary to fulfill the requirements of the agricultural sector.

We also see that proposing standards of containers is a redundant and repetitive function that MOA and MOH are already taking care of. The Law on Agriculture for instance, stipulates that the Ministry is the sole authority for preparing sanitary

³ Article (7) of the Draft Law which states the regardless of the provisions of any other legislation, the Organization’s officials are entitled to have access to any place to insure that the provisions of this law are fulfilled.

⁴ See Article (4) of the new Law on Agriculture.

⁵ See Article (2) of the new Law on Agriculture, the definition of “Sanitary and Phytosanitary Measures”.

and phytosanitary measures as previously stated, and by knowing that “sanitary and phytosanitary measures” include packaging and labeling requirements that are directly related to the health of agricultural products, we can see that there should be no need for AMO’s role in proposing containers’ standards.

- **Paragraph (h):** the aforementioned for Paragraph (g) applies here as well.
- **Paragraph (I):** this Paragraph relates to issuing recommendations to acquire import and export licenses for agricultural products. Currently, the Ministry of Industry and Trade is preparing a new law on Import and Export Licensing. This new draft has been designed to repeal prior approvals for license issuing, and to transfer licenses into automatic and non-automatic licenses. Moreover, according to the Report on Jordan’s Accession to the World Trade Organization, MOA will be the authority responsible of granting non automatic licenses regarding certain agricultural commodities pursuant to specific conditions and procedures, which means that issuing prerequisites by AMO will be WTO illegal and a breach of Jordan’s international commitments.
- **Paragraph (I):** this paragraph involves the core of AMO’s functions, i.e. promoting agricultural products. Yet, the wide scope of this paragraph is a bit scary, because promoting may be interpreted to mean export subsidization for agricultural products, which is prohibited according to WTO Agreement on Subsidies and Countervailing Measures, and should lead as a result, to a breach by Jordan of its international commitments under the WTO.

Article (7)

This Article provides for the right of AMO’s officials to have access to the marketing facilities. And as been said earlier, there is an overlap of the authorities of MOA and MOH and AMO to enter and inspect such places.

Article (8)

According to Jordanian jurisprudence, no punishment is imposed without a provision in the law. Article (8) however, stipulates the punishments for the violation of provisions of this law and the regulations and instructions issued thereof. Without providing the actual punishment for the actual act, this provision is rather unconstitutional and should be repealed.

Proposed recommendation:

Repeal the Agricultural Marketing Organization as an autonomous entity. The repeal is done through abolishing the Organization’s law with the emphasis on providing in the law of abolishment for transferring the Organization’s assets and personnel to the Ministry of Agriculture and to merge it within the marketing division at the Agricultural Economics and Policy Department. This can be achieved through the Regulation on Administrating and Organizing the Ministry of Agriculture No. (66) of the year 1997, which stipulates that institutional organization of MOA consists of several Administrations including the Planning and Development Administration which accordingly includes the Agricultural Economics and Policy Department. This

Regulation also stipulates that the Ministry may issue instructions and decisions that specify the functions and responsibilities of each directorate and administration.

However, it is preferable to amend the said regulation, in particular, Article (4/ C) thereof, to make it include an additional directorate within the Planning and Development Administration that encompasses the current functions of the current marketing division, and to also include the marketing functions of AMO provided for in Paragraphs (a), (b), (c), (d), (e), (k), (n) of the draft law of AMO.

Attachment:

- Power Point Presentation: Briefing the Secretary General on WTO Commitments (paper copy sent to the Sec. Gen.)**
- Power Point Presentation: Briefing on the Proposed Trade Agreements Unit (given to WTO Implementation Committee)**
- Power Point Presentation: for Workshop on SPS Certificate (draft for use in upcoming training)**
- Background information for the SPS Certificate Workshop (for use in preparing SPS requirements for imports)**